

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Duane M. Byers on 11/21/09.

The application has been amended as follows:

Claim 2 line 2 after "wherein" and before "is at least" delete "a superposition distance" and insert "an overlap of the at least two fine functional layers"

Reasons For Allowance

2. The following is an examiner's statement of reasons for allowance: the present claims are allowable over the "closest" prior art Kawaguchi et al. (JP 02098415) and Kudert et al. (US 5,975,871) for the following reasons.

3. Kawaguchi et al. teach multilayer doses wherein two functional layers are enclosed within a base resin, however they are silent with regards to the functional layers being one on top of each other in a direction perpendicular to the wall and with regards to the relative distances between the first and second layer and the axis of symmetry. Kawaguchi et al. only teach an embodiment wherein the two functional layers are parallel to each other in a direction perpendicular to the wall, and gives no motive or reason for adjusting the positioning of the layers.

4. Kudert et al. teach a multilayer object wherein there are at least 2 fine functional resin layers enclosed within a base resin layer, however Kudert et al. are silent with regards to the relative distances between the first and second layer and the axis of symmetry. Kudert et al. do not give any reasoning which would motivate one of ordinary skill in the art at the time of the invention to adjust this distance in order to meet the presently claimed limitations.

Examiner points out that the amendments filed on 10/14/2008 overcome the 35 U.S.C. 112 2nd paragraph rejections.

The amendments filed on 10/14/2008 overcome the objections to the drawing, claim, and the specification.

Art Unit: 1794

5. The terminal disclaimer filed on 10/14/2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 10/591,167 and 10/591,126 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIK KASHNIKOW whose telephone number is (571)270-3475. The examiner can normally be reached on Monday-Friday 7:30-5:00PM EST (Second Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on (571) 272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Erik Kashnikow
Examiner
Art Unit 1794

/Callie E. Shosho/
Supervisory Patent Examiner, Art Unit 1794